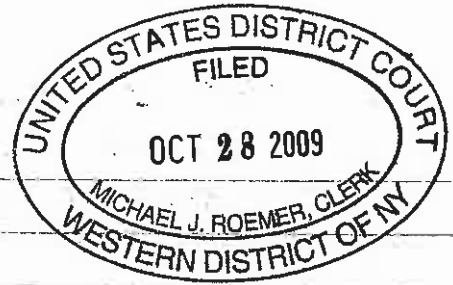


UNITED STATES DISTRICT COURT  
WESTERN DISTRICT of New York



John Hagan,

PLAINTIFF,

Discovery Demand

v.

09-CV-6225CJS

James T. Conroy, Supervisor et al,  
Defendants,

TO: Defendant(s) James T. Conroy et al,  
Through Counsel, Attorney General of NY,  
J. Richard Benitez, esq.

Pursuant to any and All Federal  
Rules of Civil Procedure and any and All  
other Rules, Procedures and laws, I make  
This Demand for Discovery.

1. A copy of any Document(s) showing the names of All Correctional officers, and Sergeants, and All Security Supervisors and their assigned post(s) to "C" Block in Attica C.F. on February 15, 2009 during the 3:00pm to 11:00 shift. This is to include Any and All Security staff and Supervisors assigned to the "C" Block area regardless of their scheduled work time, ie: Early out Reliefs, fill-ins, 2:00pm to 10:00pm staff etc... Also included would be the names of Any staff receiving an Early out or Any Early Leave during the 3:00pm to 11:00pm time frame for February 15, 2009. Please

include All Badge numbers assigned to each requested staff member.

2. The names and Badge numbers of the Two Corrections Officers who did the count at 5:00pm on February 15, 2009 specifically on 33, 34, 27 and 28 galleries in "C" Block.

3. The name and Badge number of the Officer(s) doing the count on 27, 28, 33 and 34 galleries in "C" Block on February 15, 2009 during the 11:00pm ~~at~~ 7:00 AM shift. This is including any officer doing "rounds" on the above date and time.

4. A copy of the medical / INJURY REPORT / TREATMENT plan for when plaintiff went to medical on February 16, 2009 at approx. 8:30 - 9:00 AM for treatment of injury to plaintiff after ~~being~~ allegedly being assaulted by staff. This is including but NOT limited to any and all notes, investigations, reports, and documentation etc., concerning this trip to medical and any follow-ups.

5. A copy of the 1<sup>ST</sup> floor Hospital/Clinic Security post Log Book entries showing the arrival and departure of plaintiff along with the name and Badge number of the escort officer, for the same approx. date and time as above 4.

6. A copy of any and all document(s) showing the time officer Christopher Erhardt received and returned 33-34 gallery keys in "C" Block.

From/To Anyone including the person on February 15, 2009 This would be including the name and badge number of any person giving and/or receiving said keys to/from Enhardt.

7. A copy of Any and All Legal Mail sign-in sheets containing my name and/or number for the months of May, 2008 Through December, 2008 And January, 2009 Through October, 2009. This is to include any and All sign-in sheets for Any and All Legal mail addressed to plaintiff regardless of whether plaintiff signed for said legal mail, refused to sign for, or was not available to sign for or receive said mail.

8. The names of the two nurses who treated plaintiff during his emergency visit to the Hospital/Clinic on February 16, 2009.

9. A copy of The ALPHABETIC Employee Listing for Attica Correctional Facility, during the time frame of Between January, 2008 Through December, 2008 And January, 2009 Through ~~December~~ <sup>OCTOBER</sup>, 2009. As ~~there~~ there have been employees who have retired, resigned, etc... This listing must include Any and All past or present Employees who would have been Employed AT Attica Corr Facility or paid for By D.O.C.S. to be present at Attica Corr. fac During the period noted above.

10. A Copy of The Employee Hand Book in ITS ENTIRETY excluding only security risk parts. (All redacted parts are subject to Questioning as to the reason for redaction and the validity of redaction.)
11. A copy of All Inmate Liaison ~~at~~ Executive meeting Transcripts from January, 2004, through October, 2009. Also to be included is any Communications Between an Inmate Liaison member Concerning an Inmate Liaison Committee agenda subjects NOT included in above requested Transcripts.
12. All Statements written, Audio and/or video made By any inmates and staff Concerning plaintiff.
13. The Badge numbers for Any and all requested employees requested herein except number 9.
14. A Copy of Any and All Time cards for Any and All Employees requested herein concerning the Time frames in the above numbers, 1, 2, 3, 5, 6, and 8.
15. A Copy of All Albany approved Random Cell Searched printouts for the following days; July 31, 2008 - August 14, 2008 - November 4, 2008 - September 7, 2008 - or any other Random Search approved By Albany. This is to include Any Log Book entry on said search.

16. A copy of Log Book entry for the date of December 29, 2008 concerning any Log Book mail addressed to plaintiff, plaintiff is specifically looking for the written reason my Log Book mail was opened outside of my presence, per policy and procedure this should have been noted in Log Book.
17. The Badge numbers for each and every Defendant in this case.
18. The name and badge number of the Hall Captain working "C" blocks on February 15, 2009 during the 3:00pm to 11:00pm shift.
19. A copy of the Log Book entry, or any document showing the name and badge number of the officer working the "B" Messhall Gate on February 27, 2009, at approx 7:00pm.
20. A copy of any and all Log Book entries concerning any person calls to inquire about plaintiff in any manner between the date of July, 2007 through October, 2009. This is to include any documentation where any family or friend or person called this facility to inquire about plaintiff's health, well being or to complain about the treatment plaintiff was receiving. This is to include any D.O.C.S. entity or non-D.O.C.S. entity persons.

21. A copy of any document(s) showing the names of any and all officers participating in the "Bar Check" in "C" Block on February 14, 2009 during the 3:00pm to 11:00pm shift. To be included would be the name of the supervisor who supervised said "Bar check" and badge numbers of all these officers and supervisors.
22. A copy of Any and ALL protective custody waivers/refusals bearing the plaintiff's name and/or number.
23. A copy of Any and All Court Orders, Court Recommendations, D.O.C.S. Orders, D.O.C.S. recommendations and/or Any outside Agency or entity ordering or recommending the placement of cameras or video in any or all areas of Attica Correctional Facility. This is to Exclude any Hidden cameras.
24. A copy of plaintiff's complete Mental Health record from April, 1997 through October, 2009.
25. A copy of Any and all written statements, Reports or documentation concerning plaintiff's allegations of staff abuse while incarcerated at Attica Correctional Facility.


Any of the herein requested information that requires "Redacting" for safety and security matters is subject to the approval of United States Magistrate Judge, Johnathan W. Feldman through "in-camera" inspection; if Plaintiff disagrees with said redaction.

If Any of the above information is not allowed to be received by Plaintiff, the reason for said refusal shall be made in writing.

All the information above must be provided to Plaintiff pursuant to Federal Rules of Civil procedure concerning any time limits or statutes regarding Discovery Motions, But no later than 30 days from receipt of this motion.

Plaintiff also requests that in order for Plaintiff to receive Any of the above information, Plaintiff be allowed to examine each document before signing for it, unless Defendant takes Plaintiff's word for what he received.

CC: Judge Feldman  
file

  
Plaintiff; pro-se  
Attica Corr. Facility  
P.O. Box 149  
Attica, NY 14011-0149

Affidavit of Service

09-CV-6225

I John Hon 97-B-0797, do hereby depose and say:

I am over the age of 18, and reside at ATTICA Correctional Facility, P.O. Box 149, ATTICA, N.Y. 14011-0149.

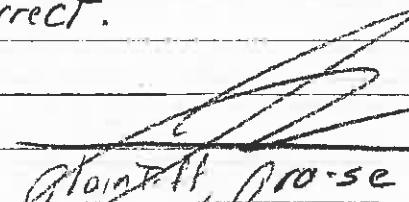
On the \_\_\_\_\_ day of October, 2003, I served a copy of the within 7 page Discovery Demand, Notice of Consent to a Magistrate Judge ~~Order~~, To the Below addressees;

J. Richard Benitez  
Assistant Attorney General of counsel  
N.Y.S. Office of the Attorney General  
144 Exchange Blvd., Suite 200  
Rochester, N.Y. 14614

Judge Johnathan W. Feldman  
U.S. District Court  
2120 - U.S. Court House  
100 STATE ST.  
Rochester, N.Y. 14614

By placing said in a properly wrapped envelope, postage paid in an official Depository under the exclusive care and custody of the United States Postal Service located in the SHU in ATTICA Corr. Facility

I declare under the penalty of perjury, pursuant to 28 U.S.C. 1746, that the above is true and correct.

  
Plaintiff, Pro-se  
ATTICA Correctional Facility  
P.O. Box 149  
ATTICA, N.Y. 14011-0149